

HCS HB 51 -- SUSPENSION OR EXPULSION OF PUBLIC SCHOOL STUDENTS

SPONSOR: Cunningham, 86 (Mayer)

COMMITTEE ACTION: Voted "do pass" by the Committee on Education by a vote of 20 to 2 with 1 present.

Current law permits a school board to suspend a pupil after notice and a hearing when the pupil has been charged with, convicted of, or pled guilty to a felony criminal violation. This substitute clarifies that the pupil must have been convicted of a state or federal felony criminal violation; that an indictment has been filed alleging the pupil has committed a felony for which there has been no dismissal or final judgment; or a petition has been filed that the pupil committed an act or the pupil has been adjudicated to have committed an act which, if committed by an adult, would be a felony criminal violation. The substitute also removes forcible rape and sodomy from the list of offenses for which students are precluded from readmission to school and substitutes sexual offense and prostitution felonies pursuant to Chapters 566 and 567, RSMo.

FISCAL NOTE: Estimated Net Cost to General Revenue of Greater than \$100,000 in FY 2004, FY 2005, and FY 2006.

PROPOSERS: Supporters say that the current safe schools law permits serious offenders who are processed through juvenile courts to remain in school when, if they had committed the same act as an adult, they would be charged with a felony. The bill tries to balance the need for rehabilitation of a youthful offender with the need to protect students.

Testifying for the bill were Representative Mayer; Ray Dowdy, Superintendent of Dexter R-XI School District; Missouri School Boards Association; Missouri State Teachers Association; School Administrators Coalition; and Missouri National Education Association.

OPPOSERS: There was no opposition voiced to the committee.

Becky DeNeve, Senior Legislative Analyst